



8-14-00

Sector 1/3

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Serial No. 09/577,118  
Filing Date 5/23/00  
Inventorship Zizys et al.  
Applicant Microsoft Corporation  
Attorney's Docket No. MS1-517US  
Title: Load Simulation Tool for Server Resource Capacity Planning

TRANSMITTAL LETTER AND CERTIFICATE OF MAILING

To: Commissioner of Patents and Trademarks,  
Washington, D.C. 20231

From: James R. Banowsky (Tel. 509-324-9256; Fax 509-323-8979)  
Lee & Hayes, PLLC  
421 W. Riverside Avenue, Suite 500  
Spokane, WA 99201

The following enumerated items accompany this transmittal letter and are being submitted for the matter identified in the above caption.

1. Transmittal letter including Certificate of Mailing
2. Check in the Amount of \$1126.00
3. Notice to File Missing Parts of Application
4. Executed Declaration
5. Fee Transmittal
6. Return Post Card

Large Entity Status ☒Small Entity Status ☐

*Applicant hereby requests an extension of time in any case such an extension is necessary. The fee should be charged to the Deposit Account indicated below.*

The Commissioner is hereby authorized to charge payment of fees or credit overpayments to Deposit Account No. 12-0769 in connection with any patent application filing fees under 37 CFR 1.16, and any processing fees, including any necessary extension fees under 37 CFR 1.17.

Date: 8-10-00

By:

  
James R. Banowsky  
Reg. No. 37,773CERTIFICATE OF MAILING

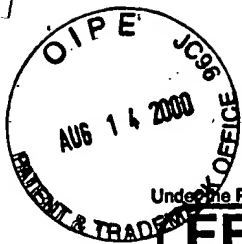
I hereby certify that the items listed above as enclosed are being deposited with the U.S. Postal Service as either first class mail, or Express Mail if the blank for Express Mail No. is completed below, in an envelope addressed to The Commissioner of Patents and Trademarks, Washington, D.C. 20231, on the below-indicated date. Any Express Mail No. has also been marked on the listed items.

Express Mail No. (if applicable)

Date: 8/10/2000

By:

  
Dana L. Calhoun



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PTO/SB/17 (12/99)  
Approved for use through 09/30/2000. OMB 0651-0032  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$ ) 1126<sup>00</sup>

### Complete If Known

Application Number	09/577,118
Filing Date	5/28/2000
First Named Inventor	Zizys
Examiner Name	
Group / Art Unit	
Attorney Docket No.	MSI-517US

### METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge  
Indicated fees and credit any overpayments to:

Deposit Account Number 12-0769

Deposit Account Name Lee & Hayes PLLC

☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:  
☒ Check ☐ Money Order ☐ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	690
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ ) 690<sup>00</sup>

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
37	-20** = 17	X 18	= 306
3	-3** = 0	X	= 0
Multiple Dependent			

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ ) 306<sup>00</sup>

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 380	216 190	Extension for reply within second month	
117 870	217 435	Extension for reply within third month	
118 1,360	218 680	Extension for reply within fourth month	
128 1,850	228 925	Extension for reply within fifth month	
119 300	219 150	Notice of Appeal	
120 300	220 150	Filing a brief in support of an appeal	
121 260	221 130	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,210	241 605	Petition to revive - unintentional	
142 1,210	242 605	Utility issue fee (or reissue)	
143 430	243 215	Design issue fee	
144 580	244 290	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Petitions related to provisional applications	
126 240	126 240	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	

Other fee (specify) \_\_\_\_\_

Other fee (specify) \_\_\_\_\_

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ ) 130<sup>00</sup>

### SUBMITTED BY

Name (Print/Type) James R. Banowsky

Signature *James R. Banowsky*

Registration No. (Attorney/Agent) 37,773

### Complete (if applicable)

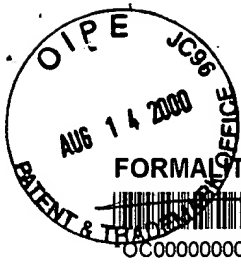
Telephone (509) 324-9256

Date 8-10-00

### WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



## FORMALITIES LETTER

OC000000005249437\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/577,118	05/23/2000	Matt Odhner	MS1-517US

James R Banowsky  
Lee & Hayes PLLC  
Suite 500  
421 W Riverside Avenue  
Spokane, WA 99201

Date Mailed: 07/18/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- Total additional claim fee(s) for this application is \$306.  
■ \$306 for 17 total claims over 20.
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1126.**

A copy of this notice **MUST** be returned with the reply.

Customer Service Center  
Initial Patent Examination Division (703) 308-1202  
PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/16/2000 SDENR01 00000031 09577118  
690.00 00  
306.00 00  
130.00 00  
01 FC:101  
02 FC:103  
03 FC:105